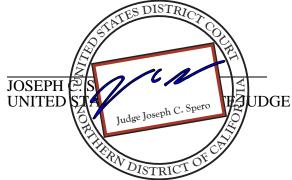
1	WILLARD K. TOM General Counsel			
2 3	LISA D. ROSENTHAL, Bar # 179486 KERRY O'BRIEN, Bar # 149264			
4	EVAN ROSE, Bar # 253478 ERIC EDMONDSON, D.C. Bar # 450294			
5	Federal Trade Commission 901 Market Street, Ste. 570			
6	San Francisco, CA 94103 (415) 848-5100 (voice)			
7	(415) 848-5184 (fax) lrosenthal@ftc.gov			
8	kobrien@ftc.gov erose@ftc.gov eedmondson@ftc.gov			
9	Attorneys for Plaintiff			
10	Federal Trade Commission			
11				
12	UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA			
13	SAN JOSE DIVISION			
14 15	FEDERAL TRADE COMMISSION,	Case No. C09-03814 -RS		
16				
	Plaintiff,	[Magistrate Judge Joseph C. Spero]		
17	V.	STIPULATION AND [PROPOSED] ORDER TO CONTINUE SETTLEMENT		
18	SWISH MARKETING, INC., a corporation,			
19	MARK BENNING, individually and as an officer of SWISH MARKETING, INC.,	CONFERENCE		
2021	MATTHEW PATTERSON, individually and			
22	as an officer of SWISH MARKETING, INC., and			
23	JASON STROBER, individually and as an			
24	officer of SWISH MARKETING, INC.,			
25	Defendants.			
26	Plaintiff Federal Trade Commission, and defendants Swish Marketing, Inc., Jason			
27	Strober, Matthew Patterson and Mark Benning, by and through their respective counsel of			
28	record, hereby request that the October 12, 2010 Settlement Conference be continued to			

STIPULATION TO EXTEND DISCOVERY SCHEDULE - C09 3814 RS

1	November 15, 2010 at 9:30 a.m. The reason for this request for a continuance is that the Federal		
2	Trade Commission did not receive a written response to its demand from defendant Swish Marketing, Inc. eight days prior to the scheduled conference, as contemplated by the Nation of		
3	Marketing, Inc. eight days prior to the scheduled conference, as contemplated by the Notice of Settlement Conference and Settlement Conference Order (Dkt #107).		
4			
5	If the parties choose to provide the Court with an updated settlement statement, they		
6	agree to do so no later than one week prior to the conference.		
7	The filer attests that concurrence in the filing of this document has been obtained from		
8	each of the other signatories.		
9	IT IS SO STIPULATED.		
10			Respectfully submitted,
11	DATED:	10/8/2010	/s/ Lisa D. Rosenthal
12			LISA D. ROSENTHAL KERRY O'BRIEN
13			EVAN ROSE ERIC D. EDMONDSON
14			Attorneys for Plaintiff
15			FEDERAL TRADE COMMISSION
16			
17	DATED:	10/8/2010	/s/ Brian Grossman
18			BRIAN GROSSMAN TESSER & RUTTENBERG
19			Attorneys for Defendants
20			SWISH MARKETING, INC., MATTHEW PATTERSON, and
21			JASON STROBER
22	DATED:	10/8/2010	/s/ Jay Fowler DANIEL J. BERGESON
23			JAY FOWLER ELIZABETH D. LEAR
24			BERGESON, LLP
25			Attorneys for Defendant MARK BENNING
26			M MAX DEMMINO
27			
28			

PURSUANT TO STIPULATION, IT IS SO ORDERED:

DATED: 10/12/10



STIPULATION TO EXTEND DISCOVERY SCHEDULE - C09 3814 RS

Page 3 of 3